

September 3, 2025 GENERAL MEETING OF THE BOARD and PUBLIC HEARING

I. CALL TO ORDER

Mayor Harter will call the meeting to order with the Pledge to the Flag at 7:30 p.m.

Board Members Present: Mayor Harter, Deputy Mayor Fuller, Trustee Olejniczak, Trustee Werner, Trustee Roach

Also, Present: Clerk Wierzbicki, Treasurer Geller, Attorney Cassidy, Engineer Hoffman

Approximate Number in Audience: 10

II. PUBLIC HEARING

Local Law 3 of 2025, a Local Law to establish specifications for private roads.

Clerk Wierzbicki will read the affidavit of publication. No correspondence was received.

Motion to open Public Hearing at 7:31 pm by Deputy Mayor Fuller second by Trustee Werner

VOTE: YES 5 NO 0

Public Comment

Dorothy Ehlers Highview Ave How are you classifying Nathaniel Lane? Does it fall under this definition? How many private roads are in the Village?

Mayor Harter All right, do we want to just take the notes and respond next month or do you want to answer now?

Attorney Cassidy So the two part, I can answer the two-part question for you, briefly, Mayor, if you want further, we can I will start to prepare something to this meeting. With respect, I do not have a specific number of private roads. I can obtain that information from our DPW superintendent, with respect to Nathaniel Lane, as the board is aware, our office has done a fair amount of research, there's different chunks of Nathaniel Lane based on different developments and subdivisions that were created. Some parts are 50 feet wide, some

parts are narrower, so the question relating to Nathaniel lane is the answer is, it depends on where it is. The purpose of this local law is to provide a mechanism and to provide standards for private streets, serving three or fewer homes in instances where a fold with public street may not be appropriate in the without referencing a specific application under your current code, if an applicant, where to come to you for development, all roads within that development would have to be built to street specifications, which are fairly wide. So it was presented to us that in some instances, those three specifications may not be necessary or appropriate for one to three houses, which is what this would serve if it was a larger development . So that's about the local law, that's for you, this evening. I can certainly ask to the superintendent about private roads and I don't care on.

Dorothy Ehlers That's fine.

E Cassidy to your knowledge there's more than one. The local law does have a liability of the village wide. This is not for one location or one specific project.

DE okay

MH Rebecca and Sean, are you coming up individually?

Rebecca and Sean White So we want to bring up new business here on some.

MH All right, so we will circle back to you

Tom Baker 6 Nathaniel Lane? Yes, I own the property about 6 Nathaniel. Two years ago when I purchased it. It was it was made very clear that there was a private road, that I was going to be responsible for the maintenance of it, which I've done, obviously. I don't know if anybody on the board has ever been up to the property who has seen how the actual houses, I know it relates to amount of houses affected by building a private or extending it but this private road in question basically is a driveway. That's that wide it is, widening it to 20, 30 feet, would enormously cut into both properties. Both of the homes that would be affected by that road being built, one being built here is a senior citizen. He lives on one side of that driveway. My son and my grandson live in the house, along with the attendant upstairs, who's a senior citizen. Any construction of this road or any massively wiping would greatly impact their daily lives could be let alone. you know, I don't know what safety concerns

would be put in place, and if you again, if you've gone up to the property to Nathaniel, six Nathaniel faces the road and to widen that to 30 feet. I mean, the street would be dealing in their front door, or certainly halfway through their driveway, so where would their cars go? Where would their park? It would almost be as if they would have to we'd have to recreate our driveway to a different location in order for that to be. functional, situational. I mean, and then it builds you to lose a big portion of what's been built on his side of the property. So at what expense do you just start knocking down people's properties to make to fit the guidelines of, you know, a Baker Street or a Baker Road, basically. Again, I hope everybody has gone up there to at least get a visual as to what it looks like, and that what the impact would actually be if it does get brought up to street standards of like 30 feet. That's insane to me. That's all that's pretty much what it is. I mean, for us. I mean concerns of having a baby to live in that house and to relatively active seniors that, you know, I think, should that should be taken into consideration there. Their day to day, you know, living, basically.

MH Thank you, anyone else on Local Law 3?

Sue OBrien Farries Ave I just walked down. With is this only covering one specific?

DH No.

SO Okay. So we're talking about how many private roads within the village?

EC We anticipate very few. Most developments that come in, come in, larger plans, so for example, these are development that came in in 2006., Those are all built to our village street specifications. So we anticipate a fairly limited application of this local law. However, our code currently provides full streets, backs for nothing. So, that could mean, you know, somebody with an adding one house has to put in a 50 quote, you, right away, which may not be appropriate. These streets can provide for a narrower. If you look at the street specs that are provided, it would be a 16-foot-wide pavement.

SO Thank you. Also, since on the recipient of all the EMT and the fire company and everything, do these pros even come into the picture of not being accessible to folks for emergency situations?

EC No, the law specifically requires, you'll see in the law that if it's specifically requires sufficient turn arounds, this was referred to the fire department, but also is designed to meet the New York State Fire code, which dictates, which sets forth the parameters for accessibility, So those specifications were accounted for and remember, too, that projects that would institute this also have to come to the planning board for any application that would seek to utilize these standards or street standards. They would be coming before the planning board application. And those considerations would be taken up during the planning environmental Review and SEQR.

SO Thank you. And just a little bit deeper on the individual homeowners, does their home insurance require them to have accessibility to emergency services?

EC that's a private matter between the property owner and their insurance provider. I have seen situations where insurance providers, charge a higher premium or require risk higher level of risk coverage, depending on the distance of the fire hydrant from the property. So the village is aware of that level. That we are aware but it's truly a private issue for the property and insurance company.

SO Thank you, because it's sort of like, well, you won't go there. All right, thank you. I asked another question. Sure. I thought that is this going to make all the old private roads after the performing this new one? Or is it just a new private road coming in?

EC This is private. This new private road.

SO Okay. Thank you

**Motion to close Public Hearing at 7:40 pm by Trustee Roach
second by Trustee Olejniczak**

VOTE: YES 5 NO 0

**Mayor Harter requested that the Board enter into Executive session
for Attorney client privilege discussion.**

Motion by Trustee Olejniczak second by Trustee Fuller

VOTE: YES 5 NO 0

Return from Executive Session at 7:46 pm. Motion by Trustee Werner second by Trustee Roach

VOTE: YES 5 NO 0

III. MINUTES

Motion made by *Deputy Mayor Fuller* seconded by *Trustee Roach* to approve the minutes of the August 6, 2025 General Meeting

VOTE: YES 4 NO 0 Olejniczak abstain

Motion made by *Deputy Mayor Fuller* seconded by *Trustee Werner* to approve the minutes of the August 20th, 2025 Special Meeting

VOTE: YES 4 NO 0 Roach abstain

IV. FINANCIAL REPORTS

1. Treasurer's Report

Motion made by *Trustee Werner* seconded by *Deputy Mayor Fuller* to accept the Treasurer's report as submitted.

VOTE: YES 5 NO 0

2. Payment of Vouchers

Motion made by *Deputy Mayor Fuller* seconded by *Trustee Roach* to approve payment vouchers as audited.

VOTE: YES 5 NO 0

3. Transfers

Transfers for Fiscal Year 5/31/26 - Sept. 3

General Fund Expenditures
Account Description From To

Police Accident Claims	500.00
Police Cell Phone	500.00
(Verizon Cell phone Purchase)	

Highway Equipment Maintenance	2,500.00
Highway Street Sweeper	2,500.00
(Sweeper Rental - No Budget)	

Water Fund Expenditures
Account Description From To

NONE

Sewer none

Motion made by *Trustee Roach* seconded by Trustee Olejniczak to approve transfers as presented

VOTE: YES 5 NO 0

V. ANNOUNCEMENTS, CORRESPONDENCE & PRESENTATIONS

1. Letter from Senator James Skoufis regarding the receipt of a CREST grant in the amount of \$50,000.00 for the renovation and ADA compliance of the Senior Center bathrooms.
2. Planning Board Secretary Penny Schlagel provided the SEQR Negative Declaration pertaining to the Lempka Drive Warehouse.
3. EnviroVentures sent a letter of interest for sludge removal.
4. Altice USA provided a change in programming.
5. SS Seward Institute sent a letter regarding Homecoming on October 4, 2025.
6. Elan City provided a quote for two solar signs.
7. Landworx, Lawngevity Landscape and Stila Corp provided quotes for the Senior Center retaining wall.
8. Letters of support were received from Florida Public Library and Pack 44 cub scouts regarding NY Bricks grant application.
9. Comp Alliance sent a no recommendation letter regarding their loss control survey.
10. Planning Board Secretary Penny Schlagel provided amended site plan approval for 112-1-4.22
11. Lanc and Tully provided signed NYSEFC Acknowledgement and acceptance of GIGP grant award for installation and replacement of water meters.
12. James McAteer of Florida Youth Soccer sent facility use form and waiver request for Jarocki Park.
13. Florida Little League sent a request for donation of surplus groomer.
14. Orange County Youth Bureau sent a fully executed 2025 contract for Youth Recreation.
15. Orange County Board of Elections sent a letter regarding 11/4/25 election.
16. DPW Supervisor Brunswick provided August 2025 summary reports.

VI. REPORTS OF THE TRUSTEES

- 1. Thomas Fuller – Police, Justice, Emergency Management, Senior Affairs**
- 2. Craig Olejniczak – Recreation & Parks, Animal Control, Grounds, Public Works**
- 3. Alyssa Werner – Sewer/ Water, Chamber of Commerce, Glenmere watershed**
- 4. Matthew Roach – Building & Planning, Historical**

VII. PUBLIC COMMENT – AGENDA ITEMS ONLY

This opportunity is provided for members of the audience to comment on **any item listed** on the agenda. Please address the Board and limit your comments to five minutes.

Sue O'Brien Farries Ave Number 13 on the correspondence, what is a surplus groomer? Trustee Olejniczak So we have a field groomer that's been at Sturr Park. Probably is over 30 years. So the field groomer is what you're going to be to drag the infield of the baseball or softball field.

SO Okay, so they're tidying up the grass along? Not just the actual. The dirt, the area. You're talking to somebody who doesn't just sports.

COI 'm sorry. you have clarity of dirt and you're going to have cleats and shoes, made little dipping and holes. So instead of instead of instead of just hand raking it. So now you have a machine that's designed to kind of do all that. It's mobile, right?.. It's very old. We purchased a nice new one, and so now it's just a piece of surplus equipment.

SO Okay, A groomer is somebody who does a horse. That's a horse. One of the things I might have to thank you. You know I don't do that often. I know the construction is dragging air. But that speed sign, I think, is helping, but I do see that, because they are from Dunkin donuts through the village, all of a sudden, people are getting crazy because they get stuck ,do we have the police kind of monitoring that? As best they can. I get that, because I actually saw a couple things day and went, and I was stuck in it, but like, I watched a couple days a week. Some people losing there, whatever, and I know today is the first day in school, so it was a little bit more than a stress level one to be, but it's unfair to everybody else because they were. And I know the speed thing on Farries is not going to give them a speed ticket, and they probably know that joke. But I have to tell you, it was, wow. I just and I just sat there, just trying to make a left, and I watched. It was it was I guess enlightening, not say it, maybe you say it, but I, you know, and I know our police want me is they do such a great job, but is there any way of avoiding that hysteria,? I mean, because some people get really spazed on it, which I there to back in on in my life, maybe I

wouldn't have been in back on that one. I'm just wondering, can we do anything about it?
MH Well, we'll talk to Chief Coleman and Brett.

VIII. UNFINISHED BUSINESS

1. Public Works Conference and Training Lake George

Motion to approve Tom Stevens Assistant DPW Supervisor to attend Public Works Training School October 6th-October 8th. Cost not to exceed \$1500.00.

Motion by Trustee Olejniczak second by Deputy Mayor Fuller

VOTE: YES 5 NO 0

2. Examination of the Justice Court Records and Dockets

Motion made by Deputy Mayor Fuller seconded by Trustee Roach declaring that the Board of Trustees of the Village of Florida and Village Treasurer has examined the Justice Court Records and Dockets and found them to be satisfactory in accordance with the law.

VOTE: YES 5 NO 0

3. Florida Youth Soccer Field Use

Motion to approve Florida Youth Soccer for the use of Jarocki Park from August 15-November 15 8am-8pm and to waive fee of \$50.00. Insurance is on file.

Motion by Trustee Werner second by Trustee Olejniczak

VOTE: YES 5 NO 0

IX. NEW BUSINESS

1. Local Law 3 of 2025

VILLAGE OF FLORIDA
VILLAGE BOARD OF TRUSTEES
RESOLUTION TO ADOPT INTRODUCTORY LOCAL LAW 3 OF 2025,
A LOCAL LAW TO ESTABLISH SPECIFICATIONS FOR PRIVATE ROADS

WHEREAS, the Village Board of Trustees desires to provide for alternate specifications for privately maintained roads serving fewer than 3 homes where the development of public street specifications is unnecessary and inappropriate.

WHEREAS, INTRODUCTORY LOCAL LAW 3 OF 2025, A LOCAL LAW TO ESTABLISH SPECIFICATIONS FOR PRIVATE ROADS was introduced before the Board of Trustees of the Village of Florida on August 6, 2025;

WHEREAS, a duly noticed public hearing was held on September 3, 2025; and

WHEREAS, the Village Board caused an Environmental Assessment Form Part 1 to be prepared; and

NOW THEREFORE BE IT RESOLVED, that the Village Board declares itself to be lead agency for purposes of the State Environmental Quality Review Act; and

BE IT FURTHER RESOLVED that after comparing the thresholds set forth in 6 NYCRR 617.4 and 617.5, the Village Board determines that the action is an unlisted action for purposes of SEQRA; and

BE IT FURTHER RESOLVED that the Village Board finds that the proposed local law will not create an adverse environmental impact and further finds that projects that may rely on the authority set forth in the proposed local law will be subject to site specific environmental review.

BE IT FURTHER RESOLVED that the Village Board hereby adopts Introductory Local Law 3 of 2025 as Local Law 3 of 2025.

Motion by: Roach

Second by: Fuller

Ayes: 5

Noes: 0

Abstentions:

2. Speed Sign Quote-TABLED

Motion to approve quote in the amount of \$7000.00 for two solar speed signs from Elan City.

Motion to table by Trustee Werner second by Trustee Fuller

VOTE: YES 5 NO 0

3. Kimley Horn Traffic Review Biaggini Senior Housing

Motion to approve quote for traffic review by Kimley Horn. Fee to be paid by applicant.

Motion by Trustee Olejniczak second by Trustee Roach

VOTE: YES 5 NO 0

4. Groomer Surplus

Motion to approve the surplus of one Bestco field groomer. Sealed bids to be accepted following posting. Bid opening October 1st, 2025 9:00 am

Motion by Trustee Olejniczak second by Trustee Werner

VOTE: YES 5 NO 0

5. PBA Contract- TABLED

Motion Mayor Harter to execute 2025-2028 Police Benevolent agreement with Village of Florida Police Department

Motion by Trustee Olejniczak second by Trustee Werner

VOTE: YES 5 NO 0

X. Meeting Schedule

September 17th, 2025	9:30 AM Work Session
October 1st, 2025	9:30 AM Work Session 7:30 Meeting
October 15th, 2025	9:30 AM Work Session
November 5th, 2025	9:30 AM Work Session 7:30 Meeting

XI. PUBLIC COMMENT

Rebecca White, South Main Street Yes. I would like to address a concern about the building department and the village building inspector because I've had very serious complaints against my neighbor's property at 101 South Main Street. Just give me one second. I've written something up, so it just gets straight the point. My name's Rebecca White. I resided at 99 South Main Street. I'm going to address an issue against the building department code enforcer for the village of Florida. I believe there's an issue of prejudice against my family and the complaints I have made against our neighbors who reside at 101 South Main Street. I believe the building inspector's relationship between the owners at 101

South Main Street has become a conflict of interest, because after the complaints I've made against my neighbor and the dilapidated garage that's caving in on itself, several accessory structures on the property without permits that do not meet setbacks have not been issued any order to remedy violations. Yet, I go into the building department the other day, and I pull the foil across against the property to make sure that my complaints have been addressed, and nothing has been done so. Though I was not allowed to hold the building's department file on 101 South Main Street, I found a letter under the building inspector that was just a courtesy letter saying that, hey. Which he tried to refrain from us seeing it. I had to take it out of his hand. That there was just a courtesy letter sent today to this address about, hey, you have some violations, how much you just come in and do a building permit? At your leisure. There's a pool on the property that does not have a permit, that does not meet setbacks, and from my understanding, certain pools at certain sizes are supposed to meet a bulk load requirements, as well as a shed on the property that does not meet setbacks, that is up against this dilapidated garage, that I have no idea if there's any electrical that runs through this garage, that could come damaged through further storms that are going to come through, could cause fire and cause the more severe damage. Now, there's another issue that happens on my property, that a tree was that rotten, trespassing into my property and taken down a tree, Allegedly, the owners who had this company come in had said that the town is the one that gave them permission to do so. Now, when we spoke to building inspector, he assured us that no nobody gave them permission to do this, but now considering the incident that I just had the other day in the building department of his sketchy situation, I do not trust what is being told and what is being done. The most important thing that's really going wrong with 101 South Main Street is a failed French drain that's on their property that is continuously discharging water onto my driveway. I've brought this up to the old village engineer Fusco Engineering. They issued them a violation and told them to order the remedy. I guess since he has left.

Mayor Harter Do you have a copy of that?

RW It's in my building. file. Everything's in there. Since then, I guess when he left being the village engineer, it's open and nobody's taken any action against it. I brought this up to the building inspectors' attention. Yes, he did come out there with DPW gentleman, I think, by the nickname Fuzzy. They addressed the issue. "When I came back and I asked them what the status of this issue was, they don't know, they have to go to the village attorney and talk to her. From my understanding, there's a violation against the property already. The French drain, which, not to mention when we moved into this property, the owner of the property said that they paid years ago DPW to connect their French train to the sewer that is underneath the sidewalk there, which is highly illegal, because you're not allowed to run, water into any sewage systems. So I'm very concerned about the issues that are going on here that aren't being taken action against, and I don't know where to go anymore, because now I can't even trust my village.

Mayor Harter Okay. you obviously just brought something. Can you mail that to me?

RW Absolutely.

MH Okay. It's a lot to process. I can't give you an answer today. I can get you an answer by, we'll say, by October.

Sean White If we can get the end of this month, that'd be much more appreciated, because this has been ongoing four years. winter comes, and you got to dig it up, 94 and doing the sidewalks. That water's going to destroy any new construction that goes on that. There are pictures of building for the village and the adjacent homes on that street, or for a resident to fall on that, it's a big lawsuit.

RW there's many pictures in my building file about how severe this ice causes and how far out into 94 it goes and how far up into the sidewalk and my driveway it goes.

MH Okay. All right. All right. Thank you guys. Much appreciated, man. All right. Anyone else? I just have a one quick question..

Gerard Conlon Park Circle. be a genie, Senior housing. Where is that?

MH It is between Robert Drive and Route 94.

MH It's on Robert Drive. It's north of Robert Drive, south of 94. West of the Beazer development. So Robert Drive, offshoot ferries, Okay. And then it close to 94, so it's going, I guess, northwest. So it's property, it's not happened yet?

Attorney Cassidy The, we are just in the start. We've just received an application that's starting its process. We expect it to be several years. Okay. Because there's sort of like, where was the senior? I don't know how a problem with that. It' just want to know where it is. It's Robert Drive, so it nestled in. So it's 94 Robert Drive. So it's at Beazer, I know that's very complicated property there. So it's all from its, off that.. It's behind the circle. It's the road? That's there. down to 94. Once we get further in the process, the documents will be available online, so I encourage you to take a look so you and understand. I just want to have a general idea.

GC Okay, so somebody developing the land, I'm going to assume, you know, it's a lot of land there.

Trustee Werner thanked cub scout pack 44 and the other many volunteers that helped install all the flags for the September 11th memorial.

XII. ADJOURNMENT

Motion made by Trustee Deputy Mayor Fuller seconded by Trustee Roach to adjourn the meeting at 8:30 PM.

VOTE: YES 5 NO 0

**Respectfully submitted,
Colleen Wierzbicki**